

Should the Legislature fail to do this, we can have no reason to expect that the General Government will recognize the necessity of the call, or make provision for their payment, and the consequence will be that on future occasions, when the State may need the aid and services of her citizens, her call may be as coldly and indifferently responded to as she now responds to them.

I have the honor to be,

Your Ob't Serv't,

GEO. T. WOOD.

Mr. Grimes offered the following resolution :

Resolved by the Senate, (the House concurring,) That a joint committee be raised, consisting of two Senators and three members from the House of Representatives, who shall be required jointly to apply to and receive from the Comptroller of Public Accounts all land scrip, loan bonds and other obligations issued by the late Republic of Texas, which are now remaining in the Comptroller's office, and have never been disposed of, and that they cause all such land scrip, loan bonds, &c., when received, to be publicly burnt and utterly destroyed, and report their proceedings to the two Houses of the Legislature"; adopted.

Messrs. Grimes and Truit were appointed said committee.

On motion of Mr. Hart, the Senate adjourned.

MONDAY 9 o'clock, A. M., Dec. 3d, 1849.

The Senate was called to order by the President.

Senators present: Messrs. Brashear, Davis, Gage, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Portis, Robertson, Truit, Taylor, Van Derlip, Ward and Wallace.

Prayer by the Chaplain.

The journals of Saturday were read and adopted.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill to exempt buildings and grounds designed and used for purposes of education and public worship, from taxation, reported the same back to the Senate and recommended its passage.

Mr. Grimes, from the same committee, made the following report :

The committee on Finance, to which was referred a bill to

amend the third section of an act to regulate the public printing, have had the subject under their consideration and have instructed me to report that in the opinion of your committee, the propositions of W. H. Cushney to print the laws and journals, and his election by the Legislature under those propositions, places this matter in the nature of a contract confirmed, which neither party has the right to alter without the consent of the other. That any alteration now made by the Legislature would release the public printer from the obligations of his contract, and might compel the Legislature to enter into a new contract or to submit to such additional remuneration as the public printer might think proper to demand. Should the public printer be willing to alter the contract in the manner proposed by the bill, *which is the printing of marginal notes to both laws and journals*; the additional expense in the opinion of your committee would be greater than the advantages to be derived from the proposed amendment.

Your committee therefore recommend that the bill be rejected.

Mr. Phillips, chairman of the committee on the Judiciary, to whom was referred a bill to regulate ferries, reported the same back with the following amendments and recommended their adoption and the passage of the bill.

Amendment 1st.—1st section, 4th line from the bottom, after the word "shore," strike out the balance of the section and insert as follows:

"With the consent of the owner of the land on said shore, if such consent cannot be obtained, he may apply to the county court for the establishment of a public road from said opposite shore and said court shall act on such application as in other cases."

Amendment 2d.—3d section, after the word "collected," second line from the bottom, insert the following: "By the county" court.

Amendment 3d.—4th section. After the word "license" in the third line from the bottom, strike out the balance of the section.

Amendment 4th.—7th section, 3d line, after the words "county in," insert as follows: "In such sum as the county court shall direct, not less than".

Amendment 5th.—11th section, 2d line from bottom, after the words "shall be" insert thus: "Received in" and also in the same line, strike out "sufficient".

Amendment 6th.—19th section, in the 6th line after the word "ferry" insert thus: "Or when a ferry has been established."

Amendment 7th.—6th section, after word "owner" in the first line, insert "or licensed ferryman."

Add the following section :

SEC. 20. That "an act authorizing and requiring county courts to regulate roads, appoint overseers and establish ferries," approved December 20, 1836, with the exception of the 20th and 21st sections thereof, and a "joint resolution defining the powers of the Commissioners of roads and revenue," approved June 7, 1837, and the fifth section of "an act to amend an act organizing justices' courts and defining the powers and jurisdiction of the same," approved January 19, 1841; and "an act to authorize the county courts of Brazoria and Galveston to raise a revenue by license on public ferries," approved January 14, 1843, shall be and the same are hereby repealed.

Mr. Pease introduced a bill to authorize any two county commissioners to perform the duties of Chief Justice of the county court, when said office is vacant or when said officer is absent from the county, or is unable or disqualified to act; read first time.

Mr. McRae introduced a bill for the relief of the citizens of Jasper county; read first time.

On motion of Mr. McRae, the rule requiring bills to be read on three several days was suspended; bill read second time and referred to the committee on Public Lands.

Mr. Wallace offered the following resolution :

Resolved, That M. B. Irwin, Door-keeper of the Senate, be authorized to employ a servant at the rate of one dollar per day, to attend to the menial duties of said office, and that a sufficient amount therefor be appropriated out of the contingent fund for the Legislature.

On motion of Mr. Phillips, the resolution was laid on the table for one day.

Mr. Davis introduced a bill supplementary to an act creating fees of office, approved March 20th, 1848; read first time.

The Senate proceeded to the

ORDERS OF THE DAY.

A bill to provide for the payment of jurors; read, and on motion of Mr. Robertson, laid on the table till to-morrow.

The Senate refused to adopt the substitute of the House for a bill to authorize and require all State, District and County officers to continue to perform the duties of their respective offices until their successors are elected and qualified according to law.

A bill to prescribe the mode of adoption; read.

Mr. Gage moved to amend the bill by striking out the following:

Provided however, that if the party adopting such person, have at the time of such adoption or shall thereafter have a child or children, begotten in lawful wedlock, such adopted child shall, in no case inherit more than one-fourth of the estate of the party adopting him or her; upon the adoption of which the yeas and nays being called stood thus:

Yeas:—Messrs. Brashear, Davis, Gage and Portis; 4.

Nays:—Messrs. Cooke, Grimes, Hart, Kinney, Latimer, McRae, Moffett, Parker, Pease, Phillips, Robertson, Fruit, Van Derlip, Ward and Wallace; 15; lost.

Mr. Robertson moved to lay the bill on the table till the 4th of July next; lost.

On motion of Mr. Phillips bill was laid on the table.

A message was received from the House of Representatives, through their Chief Clerk, informing the Senate that the House had adopted the resolution of the Senate appointing a committee to examine the Penitentiary and report thereon with amendments, in which the Senate concurred.

Also, that the House had passed a joint resolution authorizing the procurement of a slab of native marble of the required dimensions, to be placed in the National Monument being built in the city of Washington; and joint resolution for the relief of James M. Manning; which were read first time.

Preamble and joint resolutions instructing our Senators and requesting our Representatives in the Congress of the United States, to demand of the United States protection to the State from domestic violence, and the immediate acknowledgment of the Western boundary of the State of Texas as defined by the laws of this State and guaranteed by the joint resolutions of annexation; read second time, and on motion of Mr. Portis, referred to the committee on Federal Relations.

Mr. Kinney introduced a bill to incorporate the Nueces Manual Labor school; read first time.

Joint Resolution, to authorize the Comptroller of Public Accounts to sell certain property pertaining to the late Republic of Texas; read second time and ordered to be engrossed.

The resolution to appoint a committee to take into consideration the erection of a fire proof General Land Office, was read, and on motion of Mr. Brashear, referred to the committee on the Judiciary.

On motion of Mr. Portis the Senate went into an election of a Senator to examine the Penitentiary.

Mr. Portis nominated Mr. Brashear.

There being no other nomination, Mr. Brashear was selected to perform that duty.

Mr. Robertson offered the following resolution :

Resolved, That the Governor be respectfully requested to lay before the Senate all information relating to the interest or government of the county of Santa Fe, that may have been received by him since his last communication to the Senate on that subject; adopted.

A bill to establish the 11th Judicial District of the State of Texas; read second time, and on motion of Mr. Van Derlip, referred to the Judiciary committee.

A bill to define the time of holding the District Courts in the 11th Judicial District; read second time, and on motion of Mr. Gage, referred to the Judiciary committee.

A bill to provide for deductions from the salaries of District Judges and District Attorneys, who fail or neglect to perform the duties assigned them by law; read second time and on motion of Mr. Gage, referred to the Finance committee.

A bill to regulate ferries, together with the report of the committee on the Judiciary offering amendments thereto, was read and amendments adopted.

Mr. Robertson offered the following amendment to the 11th section.

Provided, That this act shall not be so construed as to make any ferryman liable for the penalty of failing or refusing to ferry any person or property across any stream, lake or bay where the water is out of the bank of said stream, lake or bay; rejected.

The bill was then ordered to be engrossed.

A bill to exempt buildings and grounds designed and used for purposes of education or public worship, from taxation; read and passed to a third reading.

A bill to amend the 3d section of an act to regulate the public printing, together with the report of the committee on Finance recommending the rejection of the bill, was read and report adopted.

On motion of Mr. Cooke, the Senate adjourned.